

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**
(Northern Division)

NATIONAL FEDERATION
OF THE BLIND, INC., *et al.*,

Plaintiffs,

v.

LINDA H. LAMONE, *et al.*,

Defendants.

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Civil Action No. 14-1631-RDB

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PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, EXPENSES, AND COSTS

Plaintiffs, by undersigned counsel, hereby move for an award of attorneys' fees, expenses, and costs, and in support state as follows:

1. On September 4, 2014, the Court entered a final judgment in favor of Plaintiffs the National Federation of the Blind, Kenneth Capone, Melissa Riccobono, and Janice Toothman, and: (a) declared that the State of Maryland's absentee ballot voting program violates Plaintiffs' rights under the Americans with Disabilities Act ("ADA") and Section 504 of the Rehabilitation Act ("Section 504"); (b) permanently restrained and enjoined Defendants Linda H. Lamone, in her official capacity as State Administrator of the Maryland State Board of Elections ("the Board"), Bobbie S. Mack, in her official capacity as Chairman of the Board, David J. McManus, Jr., in his official capacity as Vice Chairman of the Board, and Patrick J. Hogan, Janet S. Owens, and Charles E. Thomann, in their official capacities as members of the Board, from violating Plaintiffs' ADA and Section 504 rights in the upcoming 2014 general election and in all future elections; and (c) ordered Defendants to make the online ballot marking tool available to Plaintiffs for the 2014 general election.

2. As prevailing parties, Plaintiffs are entitled to, and hereby move for, reasonable attorneys' fees, litigation expenses, and costs incurred in pursuing this action, as authorized by the ADA, 42 U.S.C. § 12205, and the Rehabilitation Act, 29 U.S.C. § 794a(b), and in accordance with Local Rule 109.2. As required by Local Rule 109.2(b), within 35 days Plaintiffs will file a memorandum setting forth the detailed support for their request for attorneys' fees, unless an appeal is noted in the interim.

3. If Defendants note a timely appeal in this case, Plaintiffs will refrain from filing the memorandum in support of this motion until after the issuance of the mandate of the Court of Appeals, as contemplated by the Local Rule 109.2(a).

Respectfully submitted,

/s/

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